

Report #5 of OC/CIC Meeting 4/03.2008

Promptly at 7pm Thursday evening in the commissioners' room at the government annex a group of approximately 60 people participated in the weekly meeting with the purpose of gleaning information from speakers of neighboring counties and those from other areas of expertise in our quest to develop a fair and representative zoning code for Franklin County.

Chairman Dave White called upon Scott McDonough to lead the group in prayer which was followed by the pledge to the American Flag.

Since each week there are a few new people in attendance a handout which states the goals of the meetings and the agenda for each particular evening.

After the reading of the minutes Chairman White introduced the speaker for the evening, Mr. Greg Slipher ,Farm Bureau Agriculture Consultant for Livestock and Land Use Management. Mr. Slipher was a farmer in Clinton Co., for 43 years and served on that board of zoning for 13 years and took part in the revision of their code for the past 5 years

Since livestock is his area he focused on problems when an owner wants to expand his operation and the ensuing large amount of calls from the opposition. One of the challenges is that we are not prepared for the changes that are occurring in agriculture, and that what we are doing here can help avoid conflict . He went on to say that zoning is about appropriate land use and preventing conflicts as much as possible, and that since the 70's there has been lots of zoning and little comprehensive planning going on.

In the past 3 years he has been in 50 counties that are facing the same challenges that we are here. Mr. Slipher enumerated 3 subjects that we must consider here: 1-reciprocity, that is a house cannot be allowed within 3100 feet of a hog operation, and no hog operation can be allowed within 3100 ft. of a house. 2-developmental standards, these

must be clearly stated and if certain criteria are met by persons they don't need to go thru the zoning process. Giving special exceptions puts the zoning board in an unfair position. Be careful of the language used so that it doesn't result in unintended consequences, eg; one county zoned out the 4-H projects of its youth. 3-That we consider tiered zones which are necessary now-a-days. He stated that Elkhart Co. was 1st in the state to do tiered zoning and it has done well in protecting agriculture yet allowed for development. Also some folks don't realize that farming IS a business. Thus clustering of homes is an attractive option. 4-Selloffs, a lot too large or too small relates to the intent of land use. 5- Be careful we do not conflict with state statutes. The State Dept. of Environmental Management has rules that the county may not contradict. 6- His parting thought was that "you own the process!" He would be glad to help us anytime, especially issues relating to livestock. Time was allowed for questions from individuals and they related to issues of selling your land, conflict with Indiana law, "the right to farm", can we strengthen our language beyond what the state requires. Mr. Slipper suggested annual review of the ordinances and if a persistent problem is seen then correct it. The usual life of a plan is about 5 years.

Next we heard from Mr. Bill Todd, Rush co. director of Planning commission. With 10 years as executive director of Rush co.'s planning and zoning Mr. Todd gave a lot of information. An absolute need is that we work on the comprehensive plan first. It is like a mission statement and identifies what we are and what we want to become as a county. Next is to have a set of rules that is well defined! In the negotiations he has experienced it has been a series of compromises in that the farmer had to give up something and also the homeowner in order to come to a mutual agreement. For example the confined feeding operator had to be a minimum of 750 feet off road and a specific distance from other houses and place a "shelter belt" around their operation. Density of housing in Rush co. has been aided by the fact that they have 4 towns which have water & sewage in place. Rush Co., also has a grading sheet in which a total of 40 points are available and that the applicant must get at least 21 of these points. If the applicant gets 21-26 points, they must appear before the board, if they get over 27 points they get the permit without appearing before the board.

Mr. Todd was astounded by the attendance at the meeting and suggested that what we can work on right now is getting a map from the Ind. Dept. of Environmental Management for our county, it shows all the confined feeding operations; get a section density study of the number of houses and to also get soil maps which shows where septic and municipal sewage are. He also suggested that we write our laws so that they are loose enough but not TOO loose.

Questions were answered regarding home businesses, industrial areas, livestock, manure handling, impact fees, small & large animals. Mr. Todd said in closing that the rule of thumb is that the State says HOW you do things in your county, the county says WHERE regarding hog & livestock operations.

Chairman White remarked that we want to get started on issues because he doesn't want the citizens to get bored before we even start. ' Next meeting a good deal of time will be spent on the Comprehensive plan. Commissioner Vonder Meulen asked if anyone present had been involved in the previous efforts . Larry Franzman will also be present next meeting. Copies of the plan are available from the Commissioners or from Joe Gillespie. There is a GIS map available thru the county website. Zoning maps will be available thru Joe at the next meeting. It was felt by several that we still need to hear from additional speakers regarding the law as it applies, land values, and the philosophy of the comprehensive & zoning.

Next meeting is on Thursday April 10 at the government annex & will begin promptly at 7 pm.